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Date: August 29, 2006

To: Keri A. Moss - Group Art Unit 1743

Organization: U.S. Patent & Trademark Office  
Alexandria, Virginia

Fax: 571/273-8300

From: Brenda Brantley

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Fax: 303/384-7499

Total Pages: 10 (including cover sheet)

For Questions Call: 303/384-7572

Attached:

Re: SN 09/937,208 - David K. Benson et al.

1. Response Under 37 CFR § 1.116 [8 pages]
2. Certificate of Transmission Under 37 CFR § 1.8

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): David K. Benson et al.

Serial No.: 09/937,208

Filed: May 28, 2002

Title: Method and Apparatus for Determining  
Diffusible Hydrogen ConcentrationsRECEIVED  
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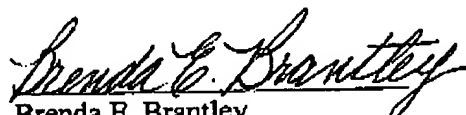
Atty. Dkt. No. NREL 99-03

## CERTIFICATE OF TRANSMISSION UNDER 37 CFR § 1.8

I hereby certify that the following attached items:

- Response Under 37 CFR § 1.116 [8 pgs.]

are being facsimile transmitted to the United States Patent & Trademark Office on 29th day of August 2006.

  
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**RECEIVED  
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<b>Applicant:</b>	David K. Benson et al.	<b>Examiner:</b>	Keri A. Moss
<b>Serial No.:</b>	09/937,208	<b>Group Art Unit:</b>	1743
<b>Filed:</b>	05/28/2002		
<b>For:</b>	METHOD AND APPARATUS FOR DETERMINING DIFFUSIBLE HYDROGEN CONCENTRATIONS	<b>Docket No.</b>	NREL 99-03

U.S. Patent & Trademark Office  
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**RESPONSE UNDER 37 C.F.R. 1.116**

Sir:

In response to the Final Office Action, dated June 1, 2006, the Applicant responds as follows:

**Statement of Common Ownership Under 35 U.S.C. 103(c) Regarding the Siebert et al. Reference begins on page 2 of this paper.**

**Remarks/Arguments begin on page 3 of this paper.**

**Statement of Common Ownership Under 35 U.S.C. 103(c) Regarding the Siebert et al.****Reference:**

This patent application and U.S. Patent No. 6,277,589, issued to Siebert et al., were, at the time this invention was made, owned by, or subject to an obligation of assignment to, the same company, Midwest Research Institute.